



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/476,419      | 12/30/1999  | EDWARD B. EYTCHISON  | SONY-50M2430        | 7826             |

7590 03/22/2004

WAGNER MURABITO & HALO LLP  
TWO NORTH MARKET STREET THIRD FLOOR  
SAN JOSE, CA 95113

EXAMINER

BLAIR, DOUGLAS B

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 03/22/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                        |                      |
|------------------------------|------------------------|----------------------|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b>  |
|                              | 09/476,419             | EYTCHISON, EDWARD B. |
|                              | <b>Examiner</b>        | <b>Art Unit</b>      |
|                              | Douglas B Blair        | 2142                 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 19 December 2003.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-42 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-42 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. Claims 1-42 are currently pending in this application.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 5-10, 13-18 and 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,239,466 to Zondag in view of U.S. Patent Number 6,118,774 to Sturgeon et al..

4. As to claim 1, Zondag teaches a method of operating a plurality of types of consumer electronic devices interconnected to form a network, said method comprising: configuring a resource manager of said network with an access policy during network initialization wherein said access policy dictates a condition under which a particular service request is permissible to a user (col. 3, lines 30-54); a resource manager determining whether a service request violates an access policy (col. 5, lines 1-20); provided the service request is permissible, said resource manager determining whether resources of said network necessary for carrying out said service request are available (col. 6, lines 25-55); and provided the resources necessary for carrying out a service request are available, a resource manager transmitting control signals to a network causing said plurality of types of consumer electronic devices to carry out a service request (col. 4, lines 10-

28); however Zondag does not explicitly teach receiving a service request indicating an identity of a user and based on the identity of the user, determining whether a service request violates an access policy.

Sturgeon teaches a system for access consumer electronics that includes a method of receiving a service request indicating an identity of a user and based on the identity of the user, determining whether a service request violates an access policy (col. 2, lines 20-39).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Zondag regarding a consumer electronic system with the teachings of Sturgeon regarding implementing an access policy for specific users in a consumer electronic system because such functionality would be useful to restrict a child's access to questionable material (Sturgeon, col. 1, lines 42-53).

5. As to claim 2, Sturgeon teaches a method comprising the step of returning a failure message to a user when a service request violates an access policy (col. 5, lines 62-67 and col. 6, lines 1-26).

6. As to claim 5, Sturgeon teaches a method of communicating user identification information of a user to a server (col. 5, lines 62-67 and col. 6, lines 1-26); authenticating the user identification information (col. 5, lines 62-67 and col. 6, lines 1-26); and provided user identification information is unauthenticated, denying said user access to resources of the network (col. 5, lines 62-67 and col. 6, lines 1-26).

7. As to claim 6, Zondag teaches a method wherein resources comprises hard resources and soft resources, and wherein the hard resources comprise a plurality of types of consumer

electronic devices and wherein the soft resources comprise content information accessible by the plurality of types of consumer electronic devices (col. 4, lines 21-28).

8. As to claim 7, Zondag teaches method wherein determining whether resources of a network necessary for carrying out a service request are available comprises the step of accessing a resource pool, wherein said resource pool contains information regarding availability of said hard resources (col. 10, lines 10-32).

9. As to claim 8, Sturgeon teaches a method wherein an access policy is stored in a policy database accessible by a resource manager (col. 6, lines 13-26).

10. As to claims 9-10 and 12-16, they feature the same limitations as claims 1-2 and 4-8 are rejected on the same basis as claims 1-2 and 4-8.

11. As to claims 17-18 and 20-23, they feature the same limitations as claims 1-2 and 4-7 and are rejected on the same basis as claims 1-2 and 4-7.

12. Claims 3-4, 11-12, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,239,466 to Zondag in view of U.S. Patent Number 6,118,774 to Sturgeon et al. in further view of U.S. Patent Number 6,311,207 to Mighdoll et al..

13. As to claim 3, the Zondag-Sturgeon combination makes claim 2 obvious however neither Zondag nor Sturgeon teach a method comprising maintaining a record of activities of a user. Mighdoll teaches maintaining a record of user activities (col. 12, lines 31-46).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of the Zondag-Sturgeon combination regarding a consumer electronic system with the teachings of Mighdoll regarding keeping track of user

activities because keeping track of user activities improves security (Mighdoll, col. 2, lines 14-29).

14. As to claim 4, Mighdoll teaches a step of retrieving a record of activities of a user from a log database provided an access policy is dependent on user activities (col. 12, lines 31-46).

15. As to claims 11 and 19, they feature the same limitations as claim 3 and are thus rejected for the same reasons as claim 3.

16. As to claims 12 and 20, they feature the same limitations as claim 4 and are thus rejected for the same reasons as claim 4.

17. Claims 24-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,389,466 to Zondag in view of U.S. Patent Number 6,567,979 to deCarmo.

18. As to claim 24, Zondag teaches a method of operating a network comprising consumer electronic devices, comprising the acts of: receiving a request from a user of a network, wherein the request comprises a request for output of a media content item (col. 5, lines 1-20); and outputting the media content item if the user is permitted to receive the media content item and if an electronic device of the network is available to output the media content item (col. 6, lines 25-55); however Zondag does not explicitly teach the user specifying a source providing the media content item to the network and without the user specifying an electronic device of the network for the output.

DeCarmo teaches a user specifying a source providing the media content item to the network and without the user specifying an electronic device of the network for the output (col. 6, lines 18-39).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Zondag regarding a consumer electronics system with the teachings of DeCarmo regarding specifying a source for providing media content because such a system allows a user to access many devices over a network (DeCarmo, col. 3, lines 1-30).

19. As to claim 25, Zondag teaches the network comprising a home network comprising consumer electronic devices (col. 4, lines 21-28).
20. As to claim 26, DeCarmo teaches a request comprising a request for output at a particular location (col. 6, lines 18-39).
21. As to claim 27, DeCarmo teaches media content item comprising audio and video (col. 6, lines 18-39).
22. As to claim 28, Zondag teaches a method wherein the media content item comprises a first media content item, and further comprising the acts of: receiving, during output of the first media content item, a second request from a second user of the network, wherein the second request comprises a request for output of a second media content item without the second user specifying a source providing the second media content item to the network and without the second user specifying an electronic device for the output (col. 10, lines 33-67); and outputting during output of the first media content item, the second media content item if the second user is permitted to receive the second media content item and if a second electronic device of the network is available to output the second media content item (col. 10, lines 33-67).
23. As to claim 29, Zondag teaches the network comprising a home network comprising consumer electronic devices (col. 4, lines 21-28).

Art Unit: 2142

24. As to claim 30, Zondag teaches the act of using a single functional manager to receive the first and the second requests (col. 10, lines 33-67).

25. As to claim 31, Zondag teaches a request for output of the first media content item comprising a request that the first media content item be output at a first location, and wherein the request for output of the second media content item comprising a request that the second media content item be output at a second location (col. 10, lines 33-67).

26. As to claim 32, DeCarmo teaches a method wherein first and second media content items each comprise audio and video (col. 6, lines 18-39).

27. As to claims 33-40, they feature the same limitations as claims 24-32 and are rejected on the same basis as claims 24-32.

28. As to claim 41, DeCarmo teaches a method wherein a network comprises a plurality of devices capable of acting as a source for a media content item (col. 5, lines 17-26).

29. As to claim 42, it features the same limitations as claim 41 and is rejected for the same reasons as claim 41.

#### *Response to Arguments*

30. Applicant's arguments filed 12/19/2003 have been fully considered but they are not persuasive. The applicant argues the following points: (a) By teaching a method for managing a consumer electronic system that is independent of a user's identity, Zondag teaches away from the claimed invention; (b) deMarco does not teach a user specifying the source of media content.

31. As to point (a), the fact that Zondag does not explicitly teach identifying a user does not mean that Zondag teaches away from the applicant's invention. Zondag does not state explicitly

that a identifying a user would go against the teachings of Zondag therefore the obvious combination of Zondag with such a feature is reasonable for the reasons provided in the Zondag-Sturgeon rejection.

32. As to point (b), the claim language does not state that the specified a source is an electronic device for the output. A program specified by the user can be considered a source of the media content.

### *Conclusion*

33. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B Blair whose telephone number is 703-305-5267. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

Art Unit: 2142

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached on 703-305-9705. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

  
JACK B. HARVEY  
SUPERVISORY PATENT EXAMINER

Douglas Blair  
March 15, 2004

